

MEDICAL BOARD OF CALIFORNIA

EXPERT REVIEWER TRAINING - 8 HOURS

COURSE OUTLINE

0830-0900 **WELCOME BY LINDA WHITNEY, EXECUTIVE DIRECTOR OF MEDICAL BOARD, WHO INTRODUCES REGINALD LOW, M.D., MEDICAL BOARD MEMBER AND CHAIR OF ENFORCMENT COMMITTEE**

0900-1000 **SWEET**

- I. WHY ARE WE HERE?**
 - a. Experts an integral part of our program**
 - b. Consequences of good and bad opinions**
 - c. Medical consumers are protected as a result of our experts**

- II. GOALS OF TRAINING**
 - a. Legal requirements**
 - b. Immunity**
 - c. Report format and essential components**
 - d. What to expect after opinion is rendered**
 - e. Testifying**

- III. MEMBERS OF THE ENFORCEMENT TEAM**
 - a. Investigator**
 - b. Medical Consultant**
 - c. Deputy Attorney General**
 - d. Expert**

- IV. WHAT HAPPENS BEFORE EXPERT GETS THE CASE**
 - a. Components of the investigation**
 - b. What you should expect from us**

1000-1100 **MEDICAL CONSULTANT (TBD)**

- V. WHAT KIND OF CASES AN EXPERT REVIEWS**
 - a. Quality of care**
 - b. Drugs**
 - i. Overprescribing**
 - ii. Prescribing to an addict**
 - iii. Under-prescribing**

- iv. Self-prescribing
 - v. Intractable pain treatment act
 - c. Sexual misconduct
 - d. General unprofessional conduct
- VI. DRUG VIOLATIONS
 - a. Intractable pain
- VII. SEXUAL MISCONDUCT
 - a. Judge is the assessor of credibility
- VIII. OTHER EXPERT ROLES
 - a. Physical exam
 - b. Mental exam
 - c. Oral competency panel member

1100-1200 ROBERT MCKIM BELL, DEPUTY ATTORNEY GENERAL

- IX. QUALITY OF CARE DEFINITIONS
 - a. No Departure
 - b. Simple departure
 - c. Extreme Departure
 - d. Lack of Knowledge
 - e. No other words are allowed ... ever!
- X. LEGAL DESCRIPTIONS
 - a. Extreme departure (gross negligence)
 - b. Simple departure (negligence)
 - c. Lack of knowledge (incompetence)
 - d. Standard of care
 - e. Scenarios
- XI. AESTHETICS
 - a. Letterhead
 - b. Typed
 - c. Signed and Dated
 - d. Pages numbered
 - e. No drafts are allowed (WHY)
 - f. Don't e-mail report (WHY)

1200-1230 LUNCH
1230-1330 MC/SWEET/BELL

XII. SCENARIOS OF NO DEPARTURE, SIMPLE DEPARTURE, EXTREME DEPARTURE

XIII. THINGS THAT DRIVE DEPUTY ATTORNEYS GENERAL TO JOY AND FRUSTRATION

1330-1500 ALJ (TBD) /SWEET

XIV. TESTIFYING

- a. What makes an impression on an Administrative Law Judge
- b. Video of poor testimony; we lost
- c. Video of good testimony; we won

1500-1700 SWEET/MC

XV. EXPERT PACKAGE REVIEW

- a. Participants are provided with an actual expert package for review

XVI. QUESTIONS ON BOARD REGARDING THE EXPERT PACKAGE

- a. Using the report format, participants will vote on the correct answer as to the appropriate materials listed, summary, medical issues, standard of care, analysis and conclusion.